

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Patent Application**

Applicant(s): Driesen et al.  
Case: 5-3  
Serial No.: 10/562,617  
Filing Date: May 23, 2007  
Group: 2617  
Examiner: Yu Gu

Title: Method and Apparatus For Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures

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TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

1. Appeal Brief;
2. Copy of Notice of Appeal, filed on September 30, 2010, with copy of Electronic; and Acknowledgment Receipt indicating receipt of Notice by PTO on September 30, 2010.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error.

Respectfully,



Date: November 30, 2010

Kevin M. Mason  
Attorney for Applicant(s)  
Reg. No. 36,597  
Ryan, Mason & Lewis, LLP  
1300 Post Road, Suite 205  
Fairfield, CT 06824  
(203) 255-6560

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	8531537
<b>Application Number:</b>	10562617
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6193
<b>Title of Invention:</b>	Methods and Apparatus for Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures
<b>First Named Inventor/Applicant Name:</b>	Bas Driesen
<b>Customer Number:</b>	47386
<b>Filer:</b>	Kevin M. Mason
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	Driesen 5-3
<b>Receipt Date:</b>	30-SEP-2010
<b>Filing Date:</b>	23-MAY-2007
<b>Time Stamp:</b>	11:40:42
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Notice of Appeal Filed	1150-1277_NoticeofAppeal_09302010.pdf	58702	no	1
			2e24eb44350e9134c86c8e34304c2bc73298703a		

**Warnings:**

**Information:**

2	Fee Worksheet (PTO-875)	fee-info.pdf	32063	no	2
			0ac0a8f7e10eaca163f987b53c3472690f47d6e3		

**Warnings:**

**Information:**

Total Files Size (in bytes):			90765		
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**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

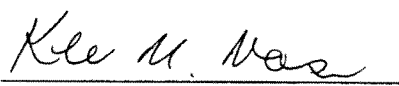
**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>Driesen 5-3</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _____.  Signature _____ Typed or printed name _____		In re Application of <b>Driesen et al.</b> Application Number <b>10/562,617</b> Filed <b>May 23, 2007</b> For Method and Apparatus For Backwards Compatible Communication in a Multiple Antenna Communication System Using FDM-Based Preamble Structures Group Art Unit <b>2617</b> Examiner <b>Yu Gu</b>	
Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.  The fee for this Notice of Appeal is (37 CFR 1.17(b)) <span style="float: right;">\$ <u>540.00</u></span> <div style="margin-top: 10px;"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____.  <input type="checkbox"/> A check in the amount of the fee is enclosed.  <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.  <input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.  <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0762</u>. I have enclosed a duplicate copy of this sheet.  <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.         </div> <p style="margin-top: 20px;"><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;">           I am the  <input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)  <input checked="" type="checkbox"/> attorney or agent of record.  <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).                Registration number if acting under 37 CFR 1.34(a): _____         </div> <div style="width: 45%; text-align: center;">             _____            Signature   <u>Kevin M. Mason</u>            _____            Typed or printed name   <u>September 30, 2010</u>            _____            Date         </div> </div> <p style="margin-top: 20px; font-size: small;">NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <div style="margin-top: 10px;"> <input type="checkbox"/> *Total of _____ forms are submitted.         </div>			

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